

CALIFORNIA LEGISLATURE

2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, April 4, 2017

The Senate met at 9 a.m.
Hon. Jerry Hill, of the 13th District, presiding.
Secretary Daniel Alvarez at the Desk.
Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Atkins, Bates, Beall, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—38.

Quorum present.

(NOTE: Senators Anderson and Berryhill will be excused this day due to illness.)



**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 24—An act to amend Sections 87206 and 87207 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 66—An act to add Sections 17226 and 24343.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 346—An act to amend Sections 53310, 53311, and 53313 of, and to repeal Section 53312 of, the Education Code, relating to school curriculum, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Senate Bill 376—An act to amend Section 25217.5 of the Public Resources Code, relating to energy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 418—An act to amend Section 1720 of the Labor Code, relating to public works.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 165—An act to amend Section 19613.05 of the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 188—An act to amend Section 179.9 of the Government Code, relating to state government.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 358—An act to add Section 84602.3 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 381—An act to amend Section 13958 of the Government Code, relating to victims of crime.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 420—An act to amend Section 11105 of the Penal Code, relating to criminal history information.

Bill read second time, ordered engrossed, and to consent calendar.



Senate Bill 350—An act to amend Section 56.10 of the Civil Code, and to amend Sections 2601 and 3003 of, and to add Section 5073 to, the Penal Code, relating to incarcerated persons.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Public Safety.

Senate Bill 478—An act to add Section 66722.2 to the Education Code, relating to public postsecondary education.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 239—An act to amend Sections 1603.3 and 1644.5 of, to repeal Sections 1621.5, 120291, and 120292 of, and to repeal and add Section 120290 of, the Health and Safety Code, and to amend Sections 1001, 1001.1, and 1202.1 of, to add Sections 1170.21 and 1170.22 to, to repeal Sections 647f, 1001.10, 1001.11, and 1463.23 of, and to repeal and add Section 1202.6 of, the Penal Code, relating to infectious and communicable diseases.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 310—An act to amend Section 1279.5 of the Code of Civil Procedure, relating to name and gender changes.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Judiciary.

Senate Bill 351—An act to amend Section 4029 of, and to add Section 4127.15 to, the Business and Professions Code, relating to healing arts.

Bill read second time.

The amendments proposed by the Committee on Business, Professions and Economic Development were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.



Senate Bill 61—An act to amend Sections 18851, 18852, 18853, 18854, and 18855 of, and to amend the heading of Article 14 (commencing with Section 18851) of Chapter 3 of Part 10.2 of Division 2 of, the Revenue and Taxation Code, and to amend Section 18995 of the Welfare and Institutions Code, relating to taxation, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 164—An act to amend Section 66025.92 of the Education Code, relating to public postsecondary education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 234—An act relating to fishing.

Bill read second time and ordered to third reading.

Senate Bill 274—An act to amend Section 19614 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 440—An act to amend Sections 18793, 18794, 18795, 18796, 18861, 18862, 18863, and 18864 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Constitutional Amendment 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX A thereof, by adding Section 15 to Article XIII B thereof, and by adding Article XIX D thereto, relating to transportation.

Resolution read second time and ordered to third reading.

Senate Bill 780—An act to amend Section 65593 of, and to add Sections 65595.5, 65595.6, 65595.7, 65595.8, and 65595.9 to, the Government Code, relating to water conservation.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, April 4, 2017

Mr. President: The Committee on Rules has examined:

SB 1

And reports the same correctly engrossed.

DE LEÓN, Chair



Senate Chamber, April 4, 2017

Mr. President: The Committee on Rules has examined:

| | | | |
|--------|--------|--------|--------|
| SB 24 | SB 61 | SB 66 | SB 164 |
| SB 165 | SB 188 | SB 274 | SB 358 |
| SB 376 | SB 381 | SB 418 | SB 420 |
| SB 440 | | | |

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, April 4, 2017

Mr. President: The Committee on Rules has examined:

| | | | |
|--------|--------|--------|--------|
| SB 15 | SB 18 | SB 244 | SB 366 |
| SB 385 | SB 409 | SB 539 | SB 577 |
| SB 594 | SB 595 | SB 600 | SB 635 |
| SB 788 | | | |

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Governance and Finance

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Governance and Finance, to which was referred:

SB 448

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MCGUIRE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 448—An act to add Section 56042 to the Government Code, relating to local government.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Elections and Constitutional Amendments

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

SB 226

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

STERN, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 226—An act to amend Section 84305.7 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Governance and Finance

Date of Hearing, March 29, 2017

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 292

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Public Safety.

MCGUIRE, Chair

Above bill ordered to second reading.

Date of Hearing, March 29, 2017

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 683

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

MCGUIRE, Chair

Above bill ordered to second reading.

Committee on Education

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Education, to which was referred:

SB 78

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALLEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 78—An act to add Section 8483.73 to the Education Code, relating to after school programs, and making an appropriation therefor.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.



Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Education, to which was referred:

SB 135

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALLEN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 135—An act to add Section 51206.5 to the Education Code, relating to pupil instruction.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Date of Hearing, March 29, 2017

Mr. President: The Committee on Education, to which was referred:

SB 552

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To consent calendar.

ALLEN, Chair

Above bill ordered to second reading.

Date of Hearing, March 29, 2017

Mr. President: The Committee on Education, to which was referred:

SB 455

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To consent calendar.

ALLEN, Chair

Above bill ordered to second reading.

Committee on Governance and Finance

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Governance and Finance, to which was referred:

SB 35

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MCGUIRE, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 35—An act to amend Sections 65400 and 65582.1 of, and to add Section 65913.4 to, the Government Code, relating to housing.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 3, 2017

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 38

ACR 39

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read and referred to the Committee on Rules:

Assembly Concurrent Resolution 38—Relative to adult education.

Assembly Concurrent Resolution 39—Relative to Crime Victims' Rights Week.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Rules, to which were referred:

SB 306

SB 772

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 306—An act to amend Section 98.6 of the Labor Code, relating to employment.

Bill read second time.

Senate Bill 772—An act to amend Section 14838.1 of the Government Code, relating to small business.

Bill read second time.

The amendments were read and adopted and the measures ordered printed, engrossed, and re-referred to the committee.



Committee on Human Services

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Human Services, to which was referred:

SB 332

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

WIENER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 332—An act to add Section 11403.05 to the Welfare and Institutions Code, relating to foster youth.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Insurance

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Insurance, to which were referred:

SB 261

SB 569

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MENDOZA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 261—An act to add Section 45.5 to the Insurance Code, relating to insurance.

Bill read second time.

Senate Bill 569—An act to amend Section 2084 of the Insurance Code, relating to insurance.

Bill read second time.

The amendments were read and adopted and the measures ordered printed, engrossed, and re-referred to the committee.

Committee on Governance and Finance

Date of Hearing, March 29, 2017

Mr. President: The Committee on Governance and Finance, to which were referred:

SB 148

SB 289

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MCGUIRE, Chair

Above bills ordered to second reading.



Committee on Public Safety

Date of Hearing, April 4, 2017

Mr. President: The Committee on Public Safety, to which were referred:

| | | |
|--------|--------|--------|
| SB 10 | SB 299 | SB 439 |
| SB 611 | SB 625 | |

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SKINNER, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing, April 4, 2017

Mr. President: The Committee on Public Safety, to which were referred:

| | |
|--------|--------|
| SB 339 | SB 776 |
|--------|--------|

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Veterans Affairs with the recommendation: To consent calendar.

SKINNER, Chair

Above bills re-referred to the Committee on Veterans Affairs.

Date of Hearing, April 4, 2017

Mr. President: The Committee on Public Safety, to which was referred:

SB 336

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations with the recommendation: To consent calendar.

SKINNER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing, April 4, 2017

Mr. President: The Committee on Public Safety, to which was referred:

SB 708

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

SKINNER, Chair

Above bill re-referred to the Committee on Rules.

Committee on Environmental Quality

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 541

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

WIECKOWSKI, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 541—An act to add Section 17255.5 to the Education Code, relating to school facilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Rules

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Rules, to which were referred:

SB 264

SB 392

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 264—An act to amend Section 149.7 of the Streets and Highways Code, relating to transportation.

Bill read second time.

Senate Bill 392—An act to amend Section 1646 of the Business and Professions Code, relating to dentistry.

Bill read second time.

The amendments were read and adopted and the measures ordered printed, engrossed, and re-referred to the committee.

Committee on Education

Date of Hearing, March 29, 2017

Mr. President: The Committee on Education, to which was referred:

SB 26

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Public Safety.

ALLEN, Chair

Above bill ordered to second reading.

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Education, to which was referred:

SB 257

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALLEN, Chair



Second Reading of Bills—Author's Amendments

Senate Bill 257—An act to add Section 48204.4 to the Education Code, relating to school admissions.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Rules

Senate Chamber, April 4, 2017

Mr. President: The Chair of the Committee on Rules, to which was referred:

SB 396

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DE LEÓN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 396—An act relating to health professionals.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

SENATE COMMITTEE ROLL CALLS**Committee on Public Safety**

SB 10—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Mitchell, Skinner, and Wiener.

NOES (1)—Senator Stone.

SB 67—Do pass as amended and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Skinner, Stone, and Wiener.

NOES (0)—None.

SB 69—Do pass and re-refer to the Committee on Appropriations

AYES (1)—Senator Stone.

NOES (3)—Senators Mitchell, Skinner, and Wiener.

Failed Passage

SB 69—Reconsideration granted

AYES (4)—Senators Bradford, Mitchell, Skinner, and Stone.

NOES (0)—None.



SB 194—Do pass as amended and re-refer to the Committee on Appropriations

AYES (6)—Senators Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.
NOES (0)—None.

SB 299—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Mitchell, Skinner, and Wiener.
NOES (1)—Senator Stone.

SB 336—Do pass and re-refer to the Committee on Appropriations with the recommendation: To consent calendar

AYES (6)—Senators Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.
NOES (0)—None.

SB 339—Do pass and re-refer to the Committee on Veterans Affairs with the recommendation: To consent calendar

AYES (6)—Senators Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.
NOES (0)—None.

SB 439—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Mitchell, Skinner, and Wiener.
NOES (1)—Senator Stone.

SB 500—Do pass as amended and re-refer to the Committee on Appropriations

AYES (4)—Senators Jackson, Skinner, Stone, and Wiener.
NOES (0)—None.

SB 611—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.
NOES (0)—None.

SB 625—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Mitchell, Skinner, and Wiener.
NOES (0)—None.

SB 708—Do pass and re-refer to the Committee on Rules

AYES (6)—Senators Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.
NOES (0)—None.

SB 776—Do pass and re-refer to the Committee on Veterans Affairs with the recommendation: To consent calendar

AYES (6)—Senators Bradford, Jackson, Mitchell, Skinner, Stone, and Wiener.
NOES (0)—None.

Date of Hearing: 4/4/2017

Skinner, Chair



LEAVES OF ABSENCE

The following Senators were granted leaves of absence for the day due to illness: Senators Anderson and Berryhill.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, April 5, 2017.

NEVA MARIE PARKER, Minute Clerk

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